

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1                   Claim 1 (original): An alcove whirlpool seat for use in a spa system, said  
2 alcove whirlpool seat comprising:

- 3                   (a) a seat member having a circumference;
- 4                   (b) a seat back having arm portions on opposite sides of said seat  
5 back, said seat back extending annularly upward from a portion of  
6 said circumference of said seat member, said seat back and at  
7 least part of said arm portions substantially defining a whirlpool  
8 area;
- 9                   (c) said arm portions defining an open span;
- 10                  (d) at least one jet nozzle positioned to direct a stream within said  
11 whirlpool area; and
- 12                  (e) said at least one jet nozzle, said seat back, and said arm portions  
13 together creating a whirlpool within said whirlpool area.

1                   Claim 2 (currently amended): The alcove whirlpool seat of claim 1,  
2 wherein said alcove whirlpool seat is a horseshoe seat, said horseshoe seat further  
3 comprising:

- 4                   (a) a first arm portion having an interior first arm surface and a first arm  
5 face; and

6                   (b) a second arm portion having an interior second arm surface and a  
7                   second arm face, said second arm portion being substantially a  
8                   mirror image to said first arm portion.  
9

1                   Claim 3 (original): The alcove whirlpool seat of claim 2, said horseshoe  
2                   seat further comprising said at least one jet nozzle positioned in said interior first arm  
3                   surface to direct said stream toward said seat back and at least one jet nozzle  
4                   positioned in said interior second arm surface to direct said stream across said open  
5                   span and toward said interior first arm surface.

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1                   Claim 4 (original): The alcove whirlpool seat of claim 2, at least one jet  
2                   nozzle directing said stream around said seat back and at least one jet nozzle directing  
3                   said stream across said open span.

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1                   Claim 5 (original): An alcove whirlpool seat spa system, said spa system  
2                   comprising:

3                   (a) a spa system having an interior spa area;  
4                   (b) at least one alcove whirlpool seat within said interior spa area, each  
5                   at least one alcove whirlpool seat comprising:  
6                   (i) a seat member having a circumference;  
7                   (ii) a seat back having arm portions on opposite sides of said  
8                   seat back, said seat back extending annularly upward from a  
9                   portion of said circumference of said seat member, said seat  
10                  back and at least part of said arm portions substantially  
11                  defining a whirlpool area;  
12                  (iii) said arm portions defining an open span;  
13                  (iv) at least one jet nozzle positioned to direct a stream within  
14                  said whirlpool area to create a whirlpool flow; and

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15                             (iv)    said at least one jet nozzle, said seat back, and said arm  
16                                 portions together creating a whirlpool within said whirlpool  
17                                 area;  
18                             (c)    a spa water flow within said interior spa area and outside said  
19                                 whirlpool area; and  
20                             (d)    said whirlpool flow within said whirlpool area is substantially  
21                                 separate from spa water flow.  
22

1                             Claim 6 (currently amended): The alcove whirlpool seat of claim 5,  
2 wherein said at least one alcove whirlpool seat is at least one horseshoe seat, each  
3 said horseshoe seat further comprising:

4                             (a)    a first arm portion having an interior first arm surface ~~and a first arm~~  
5                                 ~~face~~; and  
6                             (b)    a second arm portion having an interior second arm surface ~~and a~~  
7                                 ~~second arm face~~, said second arm portion being substantially a  
8                                 mirror image to said first arm portion.  
9

1                             Claim 7 (original): The alcove whirlpool seat of claim 6, each said  
2 horseshoe seat further comprising said at least one jet nozzle positioned in said interior  
3 first arm surface to direct said stream toward said seat back and at least one jet nozzle  
4 positioned in said interior second arm surface to direct said stream across said open  
5 span and toward said interior first arm surface.

6  
1                             Claim 8 (currently amended): The alcove whirlpool seat of claim 6 claim  
2 7, at least one jet nozzle directing said stream around said seat back and at least one  
3 jet nozzle directing said stream across said open span.

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1                   Claim 9 (currently amended): The alcove whirlpool seat of claim 5,  
2 wherein said at least one alcove whirlpool seat is a pair of cooperative horseshoe seats,  
3 each said horseshoe seat further comprising:

4                   (a)     a first arm portion having an interior first arm surface ~~and a first arm~~  
5                    face; and  
6                   (b)     a second arm portion having an interior second arm surface ~~and a~~  
7                    ~~second arm face~~, said second arm portion being substantially a  
8                    mirror image to said first arm portion.

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1                   Claim 10 (currently amended): The alcove whirlpool seat of claim 9, each  
2 said horseshoe seat further comprising said at least one jet nozzle positioned in said  
3 first arm surface face.

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1                   Claim 11 (currently amended): The alcove whirlpool seat of claim 9, at  
2 least one jet nozzle directing said stream from a first arm portion of a first cooperative  
3 horseshoe seat across a span and toward a second arm portion of a second  
4 cooperative horseshoe seat, and at least one jet nozzle directing said stream from a first  
5 arm portion of said second cooperative horseshoe seat across a span and toward a  
6 second arm portion of said first cooperative horseshoe seat-seat.

7  
1                   Claim 12 (new): The alcove whirlpool seat of claim 1, wherein said alcove  
2 whirlpool seat is a horseshoe seat, said horseshoe seat further comprising:

3                   (a)     a first arm portion;  
4                   (b)     a second arm portion;  
5                   (c)     said second arm portion being substantially a mirror image to said  
6                    first arm portion.

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1               Claim 13 (new): The alcove whirlpool seat of claim 1, at least one jet  
2 nozzle directing said stream around said seat back and at least one jet nozzle directing  
3 said stream across said open span.

1               Claim 14 (new): The alcove whirlpool seat of claim 5, wherein said at  
2 least one alcove whirlpool seat is at least one horseshoe seat, each said horseshoe  
3 seat further comprising:

4               (a)     a first arm portion;  
5               (b)     a second arm portion;  
6               (c)     said second arm portion being substantially a mirror image to said  
7               first arm portion.

1               Claim 15 (new): The alcove whirlpool seat of claim 5, wherein said at  
2 least one alcove whirlpool seat is a pair of cooperative horseshoe seats, each said  
3 horseshoe seat further comprising:

4               (a)     a first arm portion;  
5               (b)     a second arm portion;  
6               (c)     said second arm portion being substantially a mirror image to said  
7               first arm portion.

1               Claim 16 (new): The alcove whirlpool seat of claim 5, at least one jet  
2 nozzle directing said stream around said seat back and at least one jet nozzle directing  
3 said stream across said open span.

1               Claim 17 (new): An alcove whirlpool seat for use in a spa system, said  
2 alcove whirlpool seat comprising:  
3               (a)     a seat member having a circumference;

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4                   (b) a seat back having arm portions on opposite sides of said seat  
5                   back, said seat back extending annularly upward from a portion of  
6                   said circumference of said seat member, said seat back and at  
7                   least part of said arm portions substantially defining a whirlpool  
8                   area;  
9                   (c) said arm portions defining an open span;  
10                  (d) at least one jet nozzle positioned to direct a stream within said  
11                  whirlpool area; and  
12                  (e) said at least one jet nozzle, said seat back, and said arm portions  
13                  together creating a whirlpool of water rotating in a substantially  
14                  circular or oval fashion within said whirlpool area.  
15

1                   Claim 18 (new): The alcove whirlpool seat of claim 17, wherein said at  
2                  least one alcove whirlpool seat is a pair of cooperative horseshoe seats, each said  
3                  horseshoe seat further comprising:

4                   (a) a first arm portion;  
5                   (b) a second arm portion;  
6                   (c) said second arm portion being substantially a mirror image to said  
7                  first arm portion.  
8

1                   Claim 19 (new): The alcove whirlpool seat of claim 18, said horseshoe  
2                  seat further comprising said at least one jet nozzle positioned in said interior first arm  
3                  surface to direct said stream toward said seat back and at least one jet nozzle  
4                  positioned in said interior second arm surface to direct said stream across said open  
5                  span and toward said interior first arm surface.

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1               Claim 20 (new): The alcove whirlpool seat of claim 17, at least one jet  
2 nozzle directing said stream around said seat back and at least one jet nozzle directing  
3 said stream across said open span.

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**Amendments to the Drawings:**

The attached sheet of drawings includes changes to FIG. 6. This sheet, which includes FIGS. 6 and 7, replace the original sheet including FIGS. 6 and 7. In FIG. 6, reference numerals 37a and 37b have been added to coordinate with the text added in the specification.

Attachment: Replacement Sheet.